IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

DISTRICT:

CIVIL APPLICATION NO. 3277 OF 2004

IN

FIRST APPEAL (St.) NO. 18026 OF 2001

Office Notes,Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

None for the Applicant.

None for the Respondent.

CORAM: S.B.DESHMUKH, J.

DATE : 13TH SEPTEMBER 2006

P.C.:

None present for the applicant - State as well as respondent.

2. This application is moved on behalf of the State of Maharashtra seeking condonation of 45 days delay, occurred in filing the first appeal in this Court. The delay occurred is explained in paragraph nos.3 to 7 of the civil application. In substance,

the applicant has contended that the application filed by the claimant under Section 18 of the Land Acquisition Act was heard by the learned Civil Judge, Senior Division, Ratnagiri in LAR No. 49 of 1995. The said application was decided by the trial Court on 15th December, 2000. In paragraph no.7, various dates have been given on behalf of the applicant, while processing filing of appeal. According to the applicant, certain procedure was to be executed for filing of appeal in this Court. During this process, delay of 45 days occurred in filing first appeal in this Court.

3. None appears for the respondent, despite service. In this view of the matter, uncontroverted statement made by the applicant in paragraph nos.3 to 7 is accepted.

4. In this view of the matter, delay

of 45 days, occurred in filing the first appeal in this Court, is condoned. Civil Application, accordingly, is allowed and disposed of.

Sd/-

(S.B.DESHMUKH, J.)